

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
Civil Action No. 4:15-CV-00063-D**

AERIAL DEVELOPMENT GROUP, LLC,
AERIAL AND ABOVE, LLC and AERIAL
INVESTMENT PROPERTIES, LLC,

Plaintiff/Counter-Defendants,

v.

CAROLINA PRIVATE FINANCIAL
CORPORATION d/b/a THE FINANCIAL
COPILOT and HUGH O. STEWART,

Defendants/Counter-Plaintiffs,

**JOINT MOTION TO MODIFY
DISCOVERY ORDER**

CAROLINA PRIVATE FINANCIAL
CORPORATION, HUGH O. STEWART, AND
SKYLAND BUSINESS SYSTEMS, INC.,

Third-Party Plaintiffs,

v.

BRITNIE TURNER, AERIAL BUILDERS,
LLC, SKYVIEW GROUP, INC., AND ABOVE
HOMES, LLC,

Third-Party Defendants.

NOW COME JOINTLY Plaintiffs/Counter-Defendants and Third-Party Defendants and Defendants/Counter-Plaintiffs and Third-Party Plaintiffs, by and through their respective counsel, and respectfully request the Court to enter an order to extend discovery and the time to file dispositive motions, and state as follows:

1. On April 19, 2017, this Court entered an Order (D.E. 63) granting the parties' Joint Motion to Extend Discovery.

2. Therein, all counsel inadvertently modified the dispositive motion deadline to be June 15, rather than July 15. As such, the deadline for dispositive motions is now premature as being prior to the close of discovery (currently June 28, 2017).

3. The parties need more time to review the documents exchanged, to continue document exchange, to schedule depositions, and to prepare and file dispositive motions once discovery is completed.

4. After consultation between the attorneys for Plaintiffs/Counter-Defendants and Third-Party Defendants and Defendants/Counter-Plaintiffs and Third-Party Plaintiffs, all parties have agreed that the deadlines in the current scheduling order should be revised to provide for a dispositive motions deadline that occurs after the discovery deadline, and which also takes into account the parties' ongoing and final exchanges of discovery.

For the reasons stated above, the parties jointly move the Court for the following relief:

1. That the Joint Motion to Modify Discovery Order (D.E. 63) be granted;
2. That an Order be entered setting the discovery deadline in this matter to September 29, 2017, and setting the dispositive motions deadline in this matter to October 16, 2017; and
3. For such other relief as the Court may deem necessary.

[Signatures on Following Page]

This the 14th day of June, 2017.

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CERTIFICATE OF SERVICE

I hereby certify that on June 14, 2017, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

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Respectfully submitted this 14th day of June, 2017,

/s/ Erik M. Rosenwood

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